

REMARKS

Claims 1-20 are all the claims presently pending in the application.

Applicant gratefully acknowledges the Examiner's indication that claims 11-19 would be allowable if rewritten to overcome the rejections under §112, second paragraph and if claims 11, 14, and 16-19 were rewritten in independent form.

Claims 1- 20 stand rejected under §112, second paragraph, as being indefinite. This rejection is respectfully traversed in view of the amendments to the claims above. Applicant requests that the Examiner reconsider and withdraw the rejection of the claims under §112, second paragraph.

It is noted that the claims have been amended solely to more particularly point out Applicant's invention for the Examiner, and not for distinguishing over the prior art, narrowing the claim in view of the prior art, or for statutory requirements directed to patentability.

It is further noted that, notwithstanding any claim amendments made herein, Applicant's intent is to encompass equivalents of all claim elements, even if amended herein or later during prosecution.

Attached hereto is a marked-up version of the changes made to the Specification and/or claims by the current Amendment. The attached pages are captioned "Version with markings to show changes made".

Claims 1-10 and 20 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Schleif (U.S. Patent No. 4,948,285) (hereinafter "Schleif").

These rejections are respectfully traversed in the following discussion.

I. THE CLAIMED INVENTION

Applicant's invention, as defined for example in a non-limiting embodiment of independent claim 1 (and substantially similarly by independent 20) is directed to a casing for accommodating a plurality of holders for holding media, a supporting section for supporting said holders to be movable in an axial direction in the casing, a feed mechanism, provided in

the casing, for selectively advancing one of the plurality of holders, and a manipulating mechanism for operating the feed mechanism to project the tip of one of the plurality of holders out of a fore end opening at the tip of the casing and make usable the tip of one of the plurality of holders.

A feature of the present invention, in a non-limiting embodiment, is that a supported section of each holder supported by the supporting section is rotatably supported in relation to the supporting section.

Additionally, Applicant's invention, as defined for example in a non-limiting embodiment of independent claim 6 includes a composite holding device including a holder body for holding a medium to serve a prescribed purpose, and a cap for covering the holder body.

A feature of the composite holding device of the present invention is that the cap includes a casing for accommodating a plurality of holders, a supporting section for supporting the holders, a feed mechanism for selectively advancing one of the plurality of holders, and a manipulating mechanism for operating the feed mechanism.

With such features, a holder may be advanced and its tip to be smoothly projected out of the fore end opening of a casing without being constrained by the material or dimensions of the holders. In this manner, the invention provides a greater freedom of choice in the materials and dimensions of the holders.

The conventional systems, such as those discussed below and in the Related Art section of the present application, do not have such a structure, and fail to provide for such an operation (e.g., see page 3, lines 7-13; page 4, lines 4-6, 11-15, 19-21; and page 15, lines 19-21 of the present application).

Such features are not taught or suggested by the cited reference.

II. THE PRIOR ART REFERENCE

A. Schleif Reference

The Examiner asserts:

[regarding claims 1, 6, and 20] Schleif discloses a composite holding device having all the claimed features including a casing (constituted by bottom part 1 and top part 2) accommodating a plurality of holders or holder bodies (constituted by writing cartridges 22 and 23) holding media (ball point pen), a supporting section (constituted by guide tube 8) for supporting the holders, a feed mechanism (constituted by slide 13 and cam surface 19) provided in the casing for selectively advancing one of the plurality of holders, and a manipulating mechanism (constituted by the barrel part 1) for operating the feed mechanism to project the tip of one of the writing cartridges out of the end of the casing (note Fig. 1).

However, Applicant respectfully disagrees.

Firstly, in the present invention, as defined by independent claim 1 (and substantially similarly by independent claim 20), “a supported section of each holder supported by said supporting section is rotatably supported in relation to the supporting section” (emphasis Applicant’s). For example, as disclosed in Figs. 4, 7, and 8, a supporting section 23 supports a plurality of holders 21, 22.

In an exemplary, non-limiting embodiment of the present invention, as described in the specification (e.g., on page 16, lines 16-19 and on page 17, lines 2-4), at the rear end of each of the holders 21, 22 there is provided a holder receptacle 50 as the supported section. The holder receptacle 50 is supported by a slider 52, which is the supporting section 23. A spherical part 50a and a concave part 52a constitute a spherical bearing to rotatably bear the holder receptacle 50 with a freedom of angle in relation to the slider 52. Thus, in the present invention, “said supporting section is rotatably supported”.

In sharp and fundamental contrast, Schleif discloses that a slide 13 engaging the writing cartridge has a cylindrical attachment 16 with a small tube 17 inserted over attachment 16 (e.g., see column 3, lines 25-27 of Schleif). Thus, even assuming (arguendo)

that the cylindrical attachment 16 of the slide 13 or the small tube 17 corresponds to the supporting section 23 of the present invention, such a cylindrical or tubular supporting section cannot rotatably support the writing cartridges. This is because such a cylindrical or tubular section cannot (and indeed does not) bear the writing cartridge spherically.

Thus, contrary to the Examiner's assertions, the structure of Schleif is merely a conventional structure.

Further, the present invention, in an embodiment exemplary non-limiting embodiment as defined for example by independent claim 6, is fundamentally different and not anticipated by Schleif.

Specifically, as defined by independent claim 6, the cap includes a casing, a supporting section, a feed mechanism, and a manipulating mechanism. For example, exemplary Fig. 4 of the present invention shows a cap 14 including a casing 20, a supporting section 23, a feed mechanism 24, and a manipulating mechanism 26 for working the feed mechanism 24.

In sharp and fundamental contrast, Schleif discloses that the displaceable cap 3 does not include a supporting section, a feed mechanism, nor a manipulating mechanism. Schleif is completely silent as to such features and is much different from the present invention. For example, while the Examiner asserts that a bottom part of casing 1 of Schleif corresponds to the cap of the present invention, such an assertion is erroneous. Specifically, the bottom part of casing 1 of Schleif is not detachable from the upper part of casing 2. Thus, unlike the present invention, Schleif does not teach or suggest "*a cap for detachably covering the holder body*", as defined by independent claim 6.

Hence, turning to the clear language of the claims, there is no teaching or suggestion of "[a] composite holding device, comprising:

a casing for accommodating a plurality of holders for holding media to serve either different or similar purposes;

a supporting section for supporting said holders to be movable in an axial direction in the casing;

a feed mechanism, provided in the casing, for selectively advancing one of the plurality of holders; and

a manipulating mechanism for operating the feed mechanism, being adapted to

project the tip of one of the plurality of holders out of a fore end opening at a tip of the casing and make usable a tip of one of the plurality of holders,

wherein the supporting section is adapted to support a section of each holder such that the supported section is adapted to be rotatably supported in relation to the supporting section" (emphasis Applicant's).

For the reasons stated above, independent claim 1 (and substantially similarly independent claim 6 and 20) of the claimed invention are fully patentable over Schleif.

Further, dependent claims 2-5 and 7-10 when taken in combination with claims 1 and 6 define additional novel limitations.

For the reasons stated above, the claimed invention is fully patentable over the cited references.

III. FORMAL MATTERS AND CONCLUSION

The drawings have been objected to because they fail to show reference numerals 23 and 24 mentioned on page 14 in the specification; that Figs. 3, 16-17, 22, and 27 need brackets to show the figure as one entity; that the external thread of the ancillary sleeve as called for by claims 11 and 17 be shown; and that Figs. 12 and 13 fail to show "32c" as an internal thread formed on an inner circumferential face of the intermediate sleeve 32 as described on page 18, lines 6-7 of the specification.

In response to the Examiner's objections, Applicant files herewith a Submission of Proposed Drawing Corrections for Figures 3-4, 12, 16-17, 22, and 27 to show the brackets in Figs. 3, 16-17, 22, and 27, the internal thread 32c in Figs. 12 (e.g., Applicant notes that 32c is already shown in Figs. 13(b)-(c) of the drawings), and Figs. 3-4, 16-17, 22, and 27 corrected to show reference numerals 23, 24. Further, Applicant notes that Fig. 22 has been corrected by removing reference numerals 24, 48 and the bracket in the center portion of the drawing near a clip section.

In view of the foregoing, Applicant submits that claims 1-20, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

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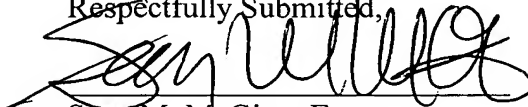
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Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,



Sean M. McGinn, Esq.

Reg. No. 34,386

Date:

4/15/03

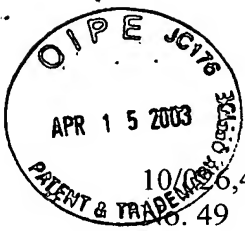
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VERSION WITH MARKINGS TO SHOW CHANGES MADE

The claims have been amended as follows:

1. (Amended) A composite holding device, comprising:

a casing for accommodating a plurality of holders for holding media to serve either different or similar purposes;

a supporting section for supporting said holders to be movable in an axial direction in the casing;

a feed mechanism, provided in the casing, for selectively advancing one of the plurality of holders; and

a manipulating mechanism for operating the feed mechanism, being adapted to project the tip of one of the plurality of holders out of a fore end opening at [the] a tip of the casing and make usable [the] a tip of one of the plurality of holders,

wherein the supporting section is adapted to support a [supported] section of each holder [supported by said supporting section] such that the supported section is adapted to be rotatably supported in relation to the supporting section.

6. (Amended) A composite holding device, comprising:

a holder body for holding a medium to serve a prescribed purpose; and

a cap for detachably covering the holder body,

wherein the cap comprises:

a casing for accommodating a plurality of holders, each holder for holding a medium to serve a purpose either different from or similar to that of said medium;

a supporting section for supporting said holders to be movable in an axial direction in the casing;

a feed mechanism, provided in the casing, for selectively advancing one of the plurality of holders; and

a manipulating mechanism for operating the feed mechanism, being adapted to project [the] a tip of one of the plurality of holders out of a fore end opening at [the] a tip of the casing and make usable the tip of one of the plurality of holders.

7. (Amended) The composite holding device, as set forth in claim 6, wherein the supporting section is adapted to support a [supported] section of each holder [supported by said supporting section] such that the supported section is adapted to be rotatably supported in relation to the supporting section.

11. (Amended) The composite holding device, as set forth in claim 1, wherein:

said casing comprises an external sleeve, an intermediate sleeve fitted inside the external sleeve with assistance of an ancillary sleeve, and a nose rotatable in relation to the external sleeve and the intermediate sleeve;

an internal thread is formed on an inner circumferential face of the intermediate sleeve and a slit is formed on [the] an internally threaded part of the intermediate sleeve;

an external thread is formed on an outer circumferential face of the ancillary sleeve;

one of [the] an externally threaded part of the ancillary sleeve and the internally threaded part of the intermediate sleeve has a tapered shape; and

the external thread of said ancillary sleeve inserted into the external sleeve and the intermediate sleeve engages the internal thread of the intermediate sleeve inserted into the external sleeve, the slit of the intermediate sleeve being expanded to press the internally threaded part against an inner circumferential face of the external sleeve to fix the intermediate sleeve to the external sleeve, thereby to fit the intermediate sleeve inside the external sleeve.

17. (Amended) The composite holding device, as set forth in claim 6, wherein:

said casing comprises an external sleeve, an intermediate sleeve fitted inside the external sleeve with the assistance of an ancillary sleeve, and a nose rotatable in relation to the external sleeve and the intermediate sleeve;

an internal thread is formed on an inner circumferential face of the intermediate sleeve and a slit is formed on [the] an internally threaded part of the intermediate sleeve;

an external thread is formed on an outer circumferential face of the ancillary sleeve;

one of [the] an externally threaded part of the ancillary sleeve and the internally threaded part of the intermediate sleeve has a tapered shape; and

the internal thread of the intermediate sleeve inserted into the external sleeve engages with the external thread of said ancillary sleeve inserted into the external sleeve and the intermediate sleeve, the slit of the intermediate sleeve being expanded to press the internally threaded part against an inner circumferential face of the external sleeve to fix the intermediate sleeve to the external sleeve, thereby to fit the intermediate sleeve inside the external sleeve.

20. (Amended) A holding device, comprising:

a casing for accommodating a plurality of holders for holding media;
a supporting section for supporting said holders to be movable;
means for selectively advancing one of the plurality of holders; and
means for operating the advancing means, being adapted to project [the] a tip of one of the plurality of holders out of a fore end opening at [the] a tip of the casing and make usable the tip of one of the plurality of holders,
wherein the supporting section is adapted to support a [supported] section of each holder [supported by said supporting section] such that the supported section is adapted to be rotatably supported in relation to the supporting section.